

# **Exhibit 1**

**From:** [Cassie Holt](#)  
**To:** [Jones, Stanton](#); [Alyssa Riggins](#); [Phil Strach](#); [Raile, Richard](#); [Alex Bradley](#); [Lewis, Patrick T.](#); [McKnight, Katherine L.](#); [Babb, Mary Carla \(Hollis\)](#); [Stanley, Trevor M.](#); [Prouty, Erika Dackin](#); [Hooper, Rachel Palmer](#); [Doyle, Ty](#); [Steed, Terence](#)  
**Cc:** [Theodore, Elisabeth](#); [Ferenc, Sam](#); [espeas@poynerspruill.com](mailto:espeas@poynerspruill.com)  
**Subject:** RE: Pierce v. NCSBE -- Plaintiff experts  
**Date:** Friday, June 14, 2024 4:40:39 PM  
**Attachments:** [LD First Set of Interrogatories and RFPDs to Pierce Plaintiffs.pdf](#)

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External E-mail

Dear Stanton,

Absent an intervening Scheduling Order, Legislative Defendants intend to serve expert reports and data on July 12, 2024 in accordance with our proposed schedule.

We have also reviewed Plaintiffs' Initial Disclosures. Given that the number of Plaintiffs, fact witnesses, and experts disclosed by Plaintiffs exceeds the number of depositions agreed to in this matter (10), Legislative Defendants propose increasing the number of depositions to 15. Please let us know your position on that proposal.

Additionally, please find attached for service Legislative Defendants' First Set of Discovery to Plaintiffs.

Thank you,

Cassie



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**From:** Steed, Terence <Tsteed@ncdoj.gov>  
**Sent:** Thursday, June 13, 2024 2:33 PM  
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**Subject:** RE: Pierce v. NCSBE -- Plaintiff experts

Stanton,

State Board Defendants will not have any experts.

Thanks,

Terence Steed  
Special Deputy Attorney General  
919-716-6567

Please note messages to or from this address may be public records.

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**From:** Jones, Stanton <[Stanton.Jones@arnoldporter.com](mailto:Stanton.Jones@arnoldporter.com)>  
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**To:** Alyssa Riggins <[alyssa.riggins@nelsonmullins.com](mailto:alyssa.riggins@nelsonmullins.com)>; Phil Strach <[phil.strach@nelsonmullins.com](mailto:phil.strach@nelsonmullins.com)>; Steed, Terence <[Tsteed@ncdoj.gov](mailto:Tsteed@ncdoj.gov)>; Raile, Richard <[rraile@bakerlaw.com](mailto:rraile@bakerlaw.com)>; Cassie Holt <[cassie.holt@nelsonmullins.com](mailto:cassie.holt@nelsonmullins.com)>; Alex Bradley <[alex.bradley@nelsonmullins.com](mailto:alex.bradley@nelsonmullins.com)>; Lewis, Patrick T. <[plewis@bakerlaw.com](mailto:plewis@bakerlaw.com)>; McKnight, Katherine L. <[kmcknight@bakerlaw.com](mailto:kmcknight@bakerlaw.com)>; Babb, Mary Carla (Hollis) <[MCBabb@ncdoj.gov](mailto:MCBabb@ncdoj.gov)>; Stanley, Trevor M. <[tstanley@bakerlaw.com](mailto:tstanley@bakerlaw.com)>; Prouty, Erika Dackin <[eprouthy@bakerlaw.com](mailto:eprouthy@bakerlaw.com)>; Hooper, Rachel Palmer <[rhooper@bakerlaw.com](mailto:rhooper@bakerlaw.com)>; Doyle, Ty <[tgadoyle@bakerlaw.com](mailto:tgadoyle@bakerlaw.com)>  
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**Subject:** RE: Pierce v. NCSBE -- Plaintiff experts

Counsel: We write to confirm that Defendants will serve their expert disclosures/reports by July 12 per the proposed scheduling orders submitted by both parties on April 1. Also, please confirm that, at the time of serving the expert reports, you will provide the experts' backup data including any computer code.

While these questions are primarily for Legislative Defendants, as we anticipate that State Board Defendants will not have any experts, we would appreciate if all Defendants will confirm promptly. Thank you.

Regards,  
Stanton

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**From:** Theodore, Elisabeth <[Elisabeth.Theodore@arnoldporter.com](mailto:Elisabeth.Theodore@arnoldporter.com)>  
**Sent:** Friday, May 31, 2024 11:14 PM

**To:** Alyssa Riggins <[alyssa.riggins@nelsonmullins.com](mailto:alyssa.riggins@nelsonmullins.com)>; Phil Strach <[phil.strach@nelsonmullins.com](mailto:phil.strach@nelsonmullins.com)>; Steed, Terence <[Tsteed@ncdoj.gov](mailto:Tsteed@ncdoj.gov)>; Raile, Richard <[rraile@bakerlaw.com](mailto:rraile@bakerlaw.com)>; Cassie Holt <[cassie.holt@nelsonmullins.com](mailto:cassie.holt@nelsonmullins.com)>; Alex Bradley <[alex.bradley@nelsonmullins.com](mailto:alex.bradley@nelsonmullins.com)>; Lewis, Patrick T. <[plewis@bakerlaw.com](mailto:plewis@bakerlaw.com)>; McKnight, Katherine L. <[kmcknight@bakerlaw.com](mailto:kmcknight@bakerlaw.com)>; Babb, Mary Carla (Hollis) <[MCBabb@ncdoj.gov](mailto:MCBabb@ncdoj.gov)>; Stanley, Trevor M. <[tstanley@bakerlaw.com](mailto:tstanley@bakerlaw.com)>; Prouty, Erika Dackin <[eprouthy@bakerlaw.com](mailto:eprouthy@bakerlaw.com)>; Hooper, Rachel Palmer <[rhooper@bakerlaw.com](mailto:rhooper@bakerlaw.com)>; Doyle, Ty <[tgdoyle@bakerlaw.com](mailto:tgdoyle@bakerlaw.com)>  
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**Subject:** Pierce v. NCSBE -- Plaintiff experts

Counsel:

We are disclosing Blake Esselstyn, Loren Collingwood, Traci Burch, and Jonathan Mattingly as experts under Rule 26. You should shortly receive an email with a link to download their reports as well as backup data, except that Dr. Collingwood is on a flight that has been delayed, so we'll send his report as soon as we are able. Please let us know if you have any trouble accessing it.

Best,  
Elisabeth

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